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AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 386th MEETING

Held at Headquarters, New York,
on Wednesday, 17 April 1991, at 10.30 a.m.

Chairman: Mr. KALPAGE (Sri Lanka)

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The meeting was called to order at 11.15 a.m.

GENERAL DEBATE (continued)

1. Mr. SHA Zukang (China), noting such major positive changes in the international situation in recent years as the improvement of relations between the Soviet Union and the United States of America, the reduction in the level of military confrontation and the improvement in the prospects for a political settlement of existing problems, said that by no means all the difficulties had been overcome. There were still serious obstacles to the safeguarding of peace and development. Some political and ethnic conflicts which had previously been masked were now more clearly apparent. The gap between north and south and between rich and poor countries continued to widen. That was having an increasingly destabilizing effect on the international situation. An example was the events in the Persian Gulf, which was an inseparable part of the Indian Ocean.

2. The establishment of a zone of peace in the Indian Ocean, which was in the interests of the majority of countries of the region, was a complex undertaking. To succeed in it, the international community must deploy efforts in two directions. First, the major Powers must be called upon to respect the sovereignty and independence of the countries of the region, to refrain from threatening interference in those countries' internal affairs and aggression against them, and to put an end to all forms of military occupation and military presence in the region. They must eliminate their military bases and installations of all kinds, and fully implement the Declaration of the Indian Ocean as a Zone of Peace. Secondly, the countries of the region itself must undertake to comply with the Charter of the United Nations and conduct their relations on the basis of five principles: mutual respect for territorial integrity and sovereignty, non-aggression, non-interference in each other's internal affairs, equality and mutual advantage, and peaceful co-existence. They must refrain from going beyond the level of sufficiency for defence purposes, from threatening the use of force against other countries of the region, and from all forms of aggression and annexation of the territory of other countries under any pretext. They must settle their disputes through peaceful negotiations and strive to establish a nuclear-free zone in the Indian Ocean.

3. China had always supported the efforts of the States in the region to ensure their independence, sovereignty and security, and had actively participated in the work on the preparations for the Conference on the Indian Ocean at Colombo. His delegation considered that the Ad Hoc Committee should work actively, in accordance with the mandate assigned to it by General Assembly resolution 45/77, to complete the preparations for that Conference, and believed it would be desirable to review the proposals put forward by some delegations in the course of the informal consultations.

4. China regretted that a number of countries had withdrawn from the Committee or were not participating in its work. Such action ran counter to

(Mr. Sha Zukang, China)

the general effort to strengthen cooperation with the countries of the region and to work for the maintenance of peace, and also created obstacles to the work of the Ad Hoc Committee. His delegation supported the proposal that consultations should be held with those countries with a view to convincing them of the need to begin participating in the Committee again as soon as possible.

5. Mr. MAHMOOD (Pakistan) said that in a rapidly changing world, the work of the Ad Hoc Committee had assumed greater significance. In view of the importance for the success of the Conference of participation by all members of the Committee in its work, his delegation sincerely hoped that the members of the Ad Hoc Committee who had withdrawn from it would reconsider their decision.

6. With regard to Pakistan's position regarding organizational substantive aspects, which was contained in document A/AC.159/L.103, he recalled that Pakistan supported the continuation of the present organizational aspects of the work of the Ad Hoc Committee, while with respect to substantive issues the essence of its proposal was that the agenda for the first session of the Ad Hoc Committee in 1991 should include an item on interregional issues, and that the Conference on the Indian Ocean should be held in stages, with the first stage being held at Colombo after completion of the necessary preparatory work.

7. Pakistan supported the convening of the Conference on the Indian Ocean in 1992, but considered that before it began agreement should be reached on the main elements of the zone of peace, and above all that its principles and objectives should be comprehensively articulated. The central element of the zone of peace concept was the security of the States of the region based on a comprehensive set of principles taking into account both regional and extraregional factors. The limits of the zone had been clearly defined in 1979.

8. In Pakistan's view, the most important task in connection with the preparation of the draft final document would be that of reaching agreement on guiding principles for the establishment and maintenance of the zone of peace in the Indian Ocean. In that connection there was a need on the one hand to eliminate the military presence of extraregional States in the Indian Ocean, and on the other hand for the States of the region to enter into arrangements for the total renunciation of the development, production and acquisition of nuclear weapons, for ensuring mutual security through, inter alia, the maintenance of reasonable ratios between their armed forces, particularly their naval forces, and for the peaceful settlement of disputes.

9. The existence of different views - which was natural in any collective effort involving many States - should provide a greater incentive to reconcile the differing views in the interests of attaining the ultimate objective of the establishment of a zone of peace in the Indian Ocean region.

10. Mr. BANDARA (Sri Lanka), speaking on behalf of the non-aligned States, said that they once again wish to reaffirm their commitment to the Declaration of the Indian Ocean as a Zone of Peace contained in General Assembly resolution 2832 (XXVI). In their view, the proposed Conference on the Indian Ocean at Colombo should be held as scheduled in 1992. The convening of the Conference should be viewed as the first step in the process of implementation of the Declaration.

11. The group of non-aligned States continue to note with regret that some members had decided not to participate in the work of the Committee, while three others had decided to withdraw from it. The Group sincerely hope that those members would reconsider their decision and return to work with other members, thus enabling the Committee to work collectively and meaningfully in a spirit of cooperation with a view to fulfilling its mandate.

12. The events in the Persian Gulf region had also had an impact on the Indian Ocean region. In that connection, the need for the implementation of the Declaration of the Indian Ocean as a Zone of Peace was greater than ever before. The group of non-aligned States members of the Committee hoped that the spirit of international cooperation would bring about the implementation of the Declaration in the interests not only of the States of the Indian Ocean region, but of other States as well, and hoped that all major maritime users and great Powers would see the merits of working in the Committee in the spirit of cooperation. The non-aligned States wished to reaffirm their commitment to continue the Committee's work in accordance with the relevant resolutions, including General Assembly resolution 45/77.

13. Mr. AL-ALFI (Yemen) endorsed the statement by the representative of the non-aligned States, and emphasized that in the preceding statements, a good deal of attention had been paid to the events in the Persian Gulf. Although those events were indeed important, they should not be used as a pretext for delaying the implementation of the resolution on the establishment of a zone of peace in the Indian Ocean or for building up a military presence in the region in contravention of the provisions of the Declaration of the Indian Ocean as a Zone of Peace, which specifically stated that bases in the Indian Ocean basin should be eliminated.

14. It should be recalled that the Committee's work was conducted within the framework of General Assembly resolution 45/77, adopted in December 1990, i.e., four months after the beginning of the Persian Gulf crisis. Efforts must be made to fulfil the Committee's mandate, which consisted in seeking ways of implementing the Declaration and organizing the holding of the Conference on the Indian Ocean at Colombo in 1992.

15. Recent events should convince those States not participating in the work of the Committee of the need for cooperation with the countries of the Indian Ocean basin in the interests of the maintenance of peace and stability in the region, and of refraining from imposing their security structures. It should also not be forgotten that the aim was to complete the preparatory work, and not the actual work itself, since otherwise there would be no need to hold the

(Mr. Al-Alfi, Yemen)

Conference. The Committee was the preparatory body for the Conference, which would itself discuss the substantive issues.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 45/77 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH RESOLUTION 45/77

Draft provisional rules of procedure of the United Nations Conference on the Indian Ocean

16. The CHAIRMAN read out a summary of the results of the discussion of the draft provisional rules of procedure of the United Nations Conference on the Indian Ocean contained in document A/AC.159/L.61. He noted that the text of rules 2, 3, 9, 11, 14, 15, 18, 20, 21 and 24-30 had been agreed in the form in which they appeared in document A/AC.159/L.61, and draw attention to the new wording of other rules of procedure on which agreement had been reached.

17. Mr. AL-ALFI (Yemen), referring to rule 8 on replacement of officers, which provided that a new officer should be elected "upon nomination by a State which the officer represents in the Conference", said that that provision would make offices hereditary among representatives of the same States. Without going back on the "gentlemen's agreement", he wished to propose that the rule should not specify that the candidacy of the new officer should be proposed by the same State.

18. Ms. COURTNEY (Australia) endorsed the view expressed by the representative of Yemen and said that, generally speaking, it was extremely difficult to discuss rules of procedure before the nature of the Conference itself had been finally decided on. Accordingly, her delegation considered that until the entire text had been definitively formulated and agreed upon, none of the rules of procedure should be regarded as approved.

19. The CHAIRMAN suggested that, bearing in mind the view of the representative of Yemen, the underlined part of the text of rule 8 should be deleted.

20. It was so decided.

21. The CHAIRMAN referring to the comment by the representative of Australia, said that there was a need to discuss each of the rules individually at the present stage. However, he agreed that the adoption of the rules of procedure as a whole would be dependent on the adoption of a decision as to the nature of the Conference.

22. Ms. COURTNEY (Australia) drew attention to the desirability of eliminating discrimination against women in the titles of officers of the Conference in the English text, and referred in that connection to the practice that was becoming established within the United Nations.

23. Mr. KHERADI (Senior Advisor) said that there were indeed guidelines in that respect, and the Secretariat would see to it that they were complied with.

24. Mr. AL-ALFI (Yemen) referring to paragraph 3 of the agreed text of rule 12, said that in his view the staff required by the Conference should be directed by the President, and not by the Secretary-General of the Conference. He would also welcome an explanation whether what was being referred to was the direction of the staff in a purely administrative sense or from the standpoint of substantive issues.

25. Mr. KHERADI (Senior Advisor) said that, essentially, both the Secretary-General of the Conference and its staff would be guided by the decisions of the Conference and its President and other officers, and would act in accordance with them. Nevertheless, in accordance with established practice and in the interest of all parties concerned, it would be desirable to specify that the Secretary-General of the Conference would direct the staff.

26. Ms. COURTNEY (Australia), referring to subparagraph (f) of the agreed text of rule 13, said she would be interested to know what was meant by "appropriate journals", and what were the reasons for the inclusion of the subparagraph. If what was meant was the publication of materials on the work of the Conference in the "Journal of the United Nations", she proposed that, since a decision had not yet been taken as to the manner in which the Conference would be conducted, subparagraph (f) should be deleted, as subparagraph (g) in any event provided that the Secretariat should "perform all other work that the Conference may require".

27. Mr. JAIN (India) recalled that the proposal in question had been made by the delegation of Sri Lanka with a view to ensuring that a daily journal similar in form to the "Journal of the United Nations" was published during the Conference. In addition, it was envisaged that daily press releases would be issued, along the lines of those distributed by the Department of Public Information. Accordingly, given that subparagraph (f) referred to a specific activity, his delegation had no objection to the subparagraph being retained.

28. Mr. BANDARA (Sri Lanka) thanked the representative of India for the explanation, and proposed that subparagraph (f) should be retained unchanged.

29. Ms. COURTNEY (Australia) expressed disagreement with that proposal. It should be for the participants in the Conference themselves to decide whether there was any point to incurring the financial expense associated with the publication of a daily journal, which was not a vital element in the work of any Conference. Without insisting on the removal of the subparagraph, she would all the same prefer to drop it, retaining the general wording "Generally perform all other work that the Conference may require" contained in subparagraph (g).

30. Mr. AL-ALFI (Yemen) said that the two proposals could be combined by retaining subparagraph (g) as it stood and adding at the end the words "including the reporting on the proceedings as the Conference may deem it necessary"; subparagraph (f) would then be deleted.

31. The CHAIRMAN said that if he heard no objection he would take it that the proposal of the representative of Yemen was adopted.

32. It was so decided.

33. Mr. AL-ALFI (Yemen) referring to rule 14 (bis), asked how the first meeting of the Conference could be opened by the Secretary-General of the Conference if his appointment had not yet been approved by the Conference.

34. Mr. KHERADI (Senior Adviser) drew attention to the note to rule 14 (bis) included between brackets, to the effect that the opinion of the Legal Counsel was being sought regarding the need to include the section, and said that the issue should be viewed in the broader context of the question of the procedure for appointing the Secretary-General of the Conference. On the basis of the practice at earlier conferences, the normal procedure was to request the Secretary-General of the United Nations to appoint a Secretary-General for the conference, whose candidacy would subsequently be confirmed by the conference. Another aspect which should be considered in that connection was the question whether the Secretary-General of the United Nations or his representative should preside until the Conference elected its President. In that respect, there was also a widespread practice of requesting the Secretary-General of the United Nations to open a conference.

35. Mr. JAIN (India), speaking on rule 14 (bis), drew attention to the agreed text of rule 12, paragraph 1 of which referred to the appointment of the Secretary-General of the Conference by the Secretary-General of the United Nations. In his view the heading of rule 12, which had also been agreed upon and which read "Appointment and Duties of the Secretary-General of the Conference", was perfectly clear. According to his understanding, it followed from the text of rule 12 that the appointment of the Secretary-General of the Conference, not the submission of the candidacy, was left to the discretion of the Secretary-General of the United Nations.

36. Mrs. MULAMULA (United Republic of Tanzania), supporting the remarks made by the representative of India, said that the rules of procedure of the Conference had been drawn up on the assumption that it would be a United Nations conference. In that case, the Secretary-General of the United Nations would be requested to appoint the Secretary-General of the Conference in accordance with rule 12. The practice referred to by the Senior Adviser related to conferences not held under United Nations auspices. In her view, rule 14 (bis) should be included in another part of the text, namely before the section dealing with the election of officers.

37. Mr. HAGOSS (Ethiopia), referring to the question raised by the representative of Yemen of how the Secretary-General of the Conference could preside over the Conference before his candidacy had been officially confirmed by the Conference, proposed that the text of rule 14 (bis) should be amended to read "At the opening of the first meeting of the Conference, the Secretary-General of the United Nations or his designated representative shall preside until the Conference has elected its President".

38. Ms. COURTNEY (Australia) said that before any of the proposed wordings for rule 14 (bis) was adopted, the views of the Legal Counsel should be sought.

39. Mr. AL-ALFI (Yemen) said that, while he had no objection to the wording proposed by the representative of Ethiopia, he supported the proposal of the representative of Australia.

40. Mr. HAGOSS (Ethiopia) said that he had nothing against the proposal of the representative of Australia, if it would advance the common cause, and would not insist on his wording.

41. The CHAIRMAN said that, on the basis of the outcome of the discussion, he concluded that the Committee wished to bring to the attention of the Legal Counsel information on the discussion that had taken place on the various views expressed, and also to request his opinion regarding whether the section of the rules of procedure in question should be retained, and if so, what wording should be used. In addition, account should be taken of the proposal by the representative of the United Republic of Tanzania that the section should be included after rule 5.

The meeting rose at 1.05 p.m.